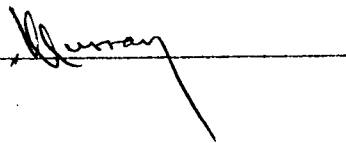


By



H.B. No. _____

A BILL TO BE ENTITLED

AN ACT

relating to publication of new rules and amendments of rules by the Texas Water Rights Commission; amending Article 7531, Revised Civil Statutes of Texas, 1925, as amended; repealing Article 7475, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Article 7531, Revised Civil Statutes of Texas, 1925, as amended by Section 1, Chapter 356, Acts of the 53rd Legislature, Regular Session, 1953, is amended to read as follows:

"Article 7531. Rules

"Section 1. The Texas Water Rights Commission shall adopt rules and regulations, including modes or procedure, for the performance of the duties, powers and functions prescribed and vested in it by this chapter, and for the enforcement of the provisions of this chapter, and that are reasonable and not in conflict herewith, shall be binding upon all persons affected by such provisions. The rules and regulations shall be printed, and copies shall be furnished to all interested persons upon application therefor, provided, that the commission, at its discretion, may make a reasonable charge therefor. No amendment of an existing rule or no new rule is effective until at least 30 days have expired since the date a copy of the new or amended rule was filed with the secretary of state.

"Section 2. Full authority is hereby given the commission to enforce by injunction, mandatory injunction or other appropriate remedy, in the courts of competent jurisdiction, any and all reasonable rules and regulations promulgated by it, which are not in conflict with this chapter, and all of the terms and conditions, which are not in conflict with this chapter, contained in declarations of appropriations (certified filings) and in permits to appropriate water heretofore granted and which may hereafter be granted by it, under authority of law."

Sec. 2. Article 7475, Revised Civil Statutes of Texas, 1925, is repealed.

Sec. 3. The necessity for reducing inordinate cost to the commission when it is required to publish its rules in three separate newspapers; the disparity between what is required of this commission and what is required of other regulatory commissions; the importance of this legislation; and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended.

BILL ANALYSIS(1) Background information:

Article 7531 presently requires the Texas Water Rights Commission to publish its rules in three separate newspapers. This represents a sizable cost to the Commission and is out of line with the provisions of Art. 6252 which prescribes the procedure for adoption and publication of new rules and rule changes for all state agencies.

(2) What the bill does:

Art. 7531 presently states that no amendment of an existing rule or no new rule will be effective until 30 days after a copy shall have been published one time in a newspaper of general circulation in each of the three Water Divisions. This bill would change the effective date to 30 days after a copy of the rule was filed with the secretary of state and eliminate any publication in newspaper, putting this agency in line with all other state agencies as to rule changes.

Art. 7475 divides the state into 3 water divisions. These 3 divisions are only used today for publication purposes since the Water Commissioners no longer are required to come from each of these divisions. If Art. 7531 is amended, deleting the publication obligation, there would be no reason to retain these divisions of the state.

(3) Section analysis:

Section 1. Deals with rules and rule changes of the Texas Water Rights Commission.

Section 2. Repeals Art. 7475.

Section 3. Declares an emergency.

(4) In Committee:

H. B. No. 177 was discussed by the full Committee and sent to a subcommittee. It was found that the printers left two lines out of the original bill so a Committee Substitute was adopted to correct this. The Committee Substitute was sent back to the House with the recommendation that it do pass, by a unanimous vote.

FORM C

(For a favorable report on a bill where a "committee substitute" was recommended by the committee.)

COMMITTEE REPORT

Date 3-21-67,

HON. BEN BARNES

Speaker of the House of Representatives.

Sir:

We, your Committee on Conservation and Reclamation, to whom was referred HB No. 177, have had the same under consideration and beg to report back with recommendation that it do pass, and be not printed.

Committee Substitute was recommended and is to be printed in lieu of the original bill.

Wendell X. Murray

Chairman.

(A "committee substitute" in the case of a bill is in the form of two suggested amendments, a new body and a new caption. Under the Rules a committee may authorize the printing of the "committee substitute" in lieu of the original bill. If the original caption is adequate, the "committee substitute" should be only a new body; and in such case the original caption should be printed along with the suggested new body.)

1 COMMITTEE AMENDMENT NO. _____
2
3
4

5 Amend H.B. 177 by deleting all below the enacting clause
6 and substituting the following:
7

8 Section 1. Article 7531, Revised Civil Statutes of Texas,
9 1925, as amended by Section 1, Chapter 356, Acts of the 53rd Legis-
10 lature, Regular Session, 1953, is amended to read as follows:

11 "Article 7531. Rules

12 "Section 1. The Texas Water Rights Commission shall adopt
13 reasonable rules and regulations, including modes of procedure, not
14 in conflict with this chapter, for the performance of the duties,
15 powers and functions prescribed and vested in it by this chapter,
16 and for the enforcement of its provisions, and shall have a seal,
17 the form of which it shall prescribe. All such rules and regula-
18 tions made for the administration of this chapter shall be binding
19 upon all persons affected by such provisions. The rules and regula-
20 tions shall be printed, and copies shall be furnished to all
21 interested persons upon application therefor, provided, that the
22 commission, at its discretion, may make a reasonable charge there-
23 for. If amendment of an existing rule or no new rule is effective
24 until at least 30 days have expired since the date a copy of the
25 new or amended rule was filed with the secretary of state.

26 "Section 2. Full authority is hereby given the commission to
27 enforce by injunction, mandatory injunction or other appropriate
28 remedy, in the courts of competent jurisdiction, any and all
29 reasonable rules and regulations promulgated by it, which are not
30 in conflict with this chapter, and all of the terms and conditions,
31 which are not in conflict with this chapter, contained in declara-
32 tions of appropriations (certified filings) and in permits to
33 appropriate water heretofore granted and which may hereafter be
34 granted by it, under authority of law."

35 Sec. 2. Article 7475, Revised Civil Statutes of Texas, 1925,
36 is repealed.
37

38 Sec. 3. The necessity for reducing inordinate cost to the
39 commission when it is required to publish its rules in three
40 separate newspapers; the disparity between what is required of this
41 commission and what is required of other regulatory commissions;
42 the importance of this legislation; and the crowded condition of
43 the calendars in both houses create an emergency and an imperative
44 public necessity that the Constitutional Rule requiring bills to be
45 read on three several days in each house be suspended, and the Rule
46 is hereby suspended.
47
48
49

50 DATE APR 13 1957

51 READ AND APPROVED

52 *[Signature]*
53 *[Signature]*
54

HOUSE OF REPRESENTATIVES

By: Murray

H.B. No. 177

A BILL TO BE ENTITLED

AN ACT

relating to publication of new rules and amendments of rules by the Texas Water Rights Commission; amending Article 7531, Revised Civil Statutes of Texas, 1925, as amended; repealing Article 7475, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Article 7531, Revised Civil Statutes of Texas, 1925, as amended by Section 1, Chapter 356, Acts of the 53rd Legislature, Regular Session, 1953, is amended to read as follows:

"Article 7531. Rules.

"Section 1. The Texas Water Rights Commission shall adopt reasonable rules and regulations, including modes of procedure, not in conflict with this chapter, for the performance of the duties, powers and functions prescribed and vested in it by this chapter, and for the enforcement of its provisions, and shall have a seal, the form of which it shall prescribe. All such rules and regulations made for the administration of this chapter shall be binding upon all persons affected by such provisions. The rules and regulations shall be printed, and copies shall be furnished to all interested persons upon application therefor, provided, that the commission, at its discretion, may make a reasonable charge therefor. No amendment of an existing rule or no new rule is effective until at least 30 days have expired since the date a copy of the new or amended rule was filed with the secretary of state.

"Section 2. Full authority is hereby given the commission to enforce by injunction, mandatory injunction or other appropriate remedy, in the courts of competent jurisdiction, any and all reasonable rules and regulations promulgated by it, which are not in conflict with this chapter, and all of the terms and conditions, which are not in conflict with this chapter, contained in declarations of appropriations (certified filings) and in permits to appropriate water heretofore granted and which may hereafter be granted by it, under authority of law."

Sec. 2. Article 7475, Revised Civil Statutes of Texas, 1925, is repealed.

Sec. 3. The necessity for reducing inordinate cost to the commission when it is required to publish its rules in three separate newspapers; the disparity between what is required of this commission and what is required of other regulatory commissions; the importance of this legislation; and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended.

Austin, Texas

May 10, 19 67

Hon. Preston Smith
President of the Senate

Sir:

We, your Committee on Water and Conservation,
to which was referred H B. No. 177, have had the same
under consideration, and I am instructed to report it back to
the Senate with the recommendation that it do _____
pass _____ and be _____ printed.


Parkhouse

Chairman

CAS

ENROLLED

H.B. No. 177

AN ACT

relating to publication of new rules and amendments of rules by the Texas Water Rights Commission; amending Article 7531, Revised Civil Statutes of Texas, 1925, as amended; repealing Article 7475, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Article 7531, Revised Civil Statutes of Texas, 1925, as amended by Section 1, Chapter 356, Acts of the 53rd Legislature, Regular Session, 1953, is amended to read as follows:

"Article 7531. Rules

"Section 1. The Texas Water Rights Commission shall adopt reasonable rules and regulations, including modes of procedure, not in conflict with this chapter, for the performance of the duties, powers and functions prescribed and vested in it by this chapter, and for the enforcement of its provisions, and shall have a seal, the form of which it shall prescribe. All such rules and regulations made for the administration of this chapter shall be binding upon all persons affected by such provisions. The rules and regulations shall be printed, and copies shall be furnished to all interested persons upon application therefor, provided, that the commission, at its discretion, may make a reasonable charge therefor. No amendment of an existing rule or no new rule is effective until at least 30 days have expired since the date a copy of the new or amended rule was filed with the secretary of state.

"Section 2. Full authority is hereby given the commission to enforce by injunction, mandatory injunction or other appropriate remedy, in the courts of competent jurisdiction, any and all reasonable rules and regulations promulgated by it, which are not in conflict with this chapter, and all of the terms and conditions, which are not in conflict with this chapter, contained in declarations of appropriations (certified filings) and in permits to appropriate water heretofore granted and which may hereafter be granted by it, under authority of law."

Sec. 2. Article 7475, Revised Civil Statutes of Texas, 1925, is repealed.

Sec. 3. The necessity for reducing inordinate cost to the commission when it is required to publish its rules in three separate newspapers; the disparity between what is required of this commission and what is required of other regulatory commissions; the importance of this legislation; and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended.

Lieutenant Governor
President of the Senate

Speaker of the House

H.B. No. 177

I hereby certify that H.B. No. 177 was passed by the House
on April 12, 1967, by a non-record vote.

Chief Clerk of the House

I hereby certify that H.B. No. 177 was passed by the Senate
on May 17, 1967, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: 6-8-67

Date

John Connally

Governor

RECEIVED IN THE OFFICE OF THE
SECRETARY OF STATE
4:33pm JUN 11 1967

John L. Hill
Secretary of State

ENROLLED

H.B. No. 188

AN ACT

relating to automobile mileage expenses for county auditors;
amending Title 34, Revised Civil Statutes of Texas, 1925, by
adding a new Article 1650a: and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Title 34, Revised Civil Statutes of Texas, 1925,
is amended by adding a new article to read as follows:

"Article 1650a. MILEAGE EXPENSES

"The commissioners court may reimburse the county auditor for
expenses incurred in traveling to and from the county seat in his
personal automobile to perform his official duties and to attend
conferences and seminars relating to the performance of his
official duties. However, the commissioners court may not reimburse
the auditor for expenses incurred in traveling between his personal
residence and county office, or for expenses incurred in any other
travel of a personal nature. The commissioners court by order shall
fix the rate of reimbursement, not to exceed 10 cents a mile.
Reimbursement shall be made monthly from the appropriate county
funds on submission of sworn expense reports by the county auditor."

Sec. 2. The importance of this legislation and the crowded
condition of the calendars in both houses create an emergency and
an imperative public necessity that the Constitutional Rule
requiring bills to be read on three several days in each house be
suspended, and this Rule is hereby suspended.

Lieutenant Governor
President of the Senate

Speaker of the House

H.B. No. 188

I hereby certify that H.B. No. 188 was passed by the House
on March 14, 1967, by a non-record vote.

Chief Clerk of the House

I hereby certify that H.B. No. 188 was passed by the Senate
on May 17, 1967, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED:

6-8-67

Date

FILED IN FILE OF H.B. NO. 188
SECRETARY OF STATE
4:53 PM. 6/8/67

John Connally
Governor

John L. Hill
Secretary of State

H.B. No. 177 By Murray

A BILL TO BE ENTITLED
AN ACT

relating to publication of new rules and amendments of rules by the Texas Water Rights Commission; amending Article 7531, Revised Civil Statutes of Texas, 1925, as amended; repealing Article 7475, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

FILED JAN 24 1967

JAN 21 1967 READ 1ST TIME
AND REFERRED TO COMMITTEE ON

Conservation
& Reclamation

MAR 22 1967

REPORTED FAVORABLY AS AMENDED SENT TO PRINTER

PRINTED, DISTRIBUTED AND

REFERRED TO COMMITTEE ON

RULES 10:45 A.M. MAR 23 1967
(Time) (Date)

APR 12 1967

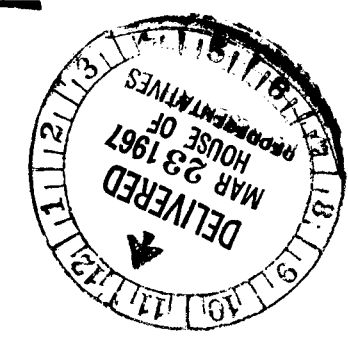
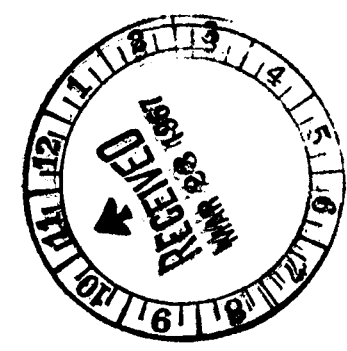
READ SECOND

TIME Amended AND

ORDERED non-record vote ENGROSSED, by

Dorothy Hallman

Chief Clerk, House of Representatives



APR 12 1967

Constitutional

Rule requiring bills to be read on

three several days suspended by

A four-fifths vote.

Yeas 141 Nays 6

Dorothy Hallman

Chief Clerk, House of Representatives

APR 12 1967

Read third time

and Passed

non-record
by following vote: none

Dorothy Hallman

Chief Clerk

HOUSE OF REPRESENTATIVES

APR 12 1967

MOTION TO RECONSIDER THE VOTE BY

WHICH H.B. # 177 WAS

~~ADOPTED~~ / PASSED AND TO TABLE THE MOTION TO RECONSIDER PREVAILED PASSED BY A non-record VOTE

Dorothy Hallman

CHIEF CLERK HOUSE OF REPRESENTATIVES

APR 12 1967

SENT TO ENGROSSING CLERK

By: Murray

H.B. No. 177

A BILL TO BE ENTITLED

AN ACT

relating to publication of new rules and amendments of rules by the Texas Water Rights Commission: amending Article 7531, Revised Civil Statutes of Texas, 1925, as amended: repealing Article 7475, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

1-24-67 Filed.

1-26-67 Read first time and referred to Committee on Conservation and Reclamation.

3-22-67 Reported favorably as amended, sent to printer.

3-23-67 Printed, distributed and referred to Committee on Rules at 10:45 a.m.

4-12-67 Read second time, amended and ordered engrossed by a non-record vote.

4-12-67 Constitutional Rule requiring bills to be read on three several days suspended by a four-fifths vote: Yeas 141, Nays 6.

4-12-67 Read third time and passed by a non-record vote.

Dorothy Hallman
Chief Clerk, H. of R.

4-12-67 Sent to Engrossing Clerk.

4-12-67 Engrossed.

Engrossing Clerk, H. of R.

APR 13 1967

APR 13 1967

IN THE SENATE
Received from the House

MAY 4 1967

Read first time
and referred to Committee
on Water and Conservation

MAY 10 1967

Reported Favorably.

MAY 17 1967

READ SECOND TIME.

AND PASSED TO THIRD READING.

MAY 17 1967

Senate Rule 32 and
Constitutional Rule (Sec. 32, Art. III)
suspended by a vote of 31 yeas,
0 nays, for bill on third
reading and final passage.

MAY 17 1967

READ THIRD TIME AND PASSED
BY THE FOLLOWING VOTE:

Yeas 31 Nays 0

Charles Schnabel
Secretary of the Senate

MAY 17 1967

SENT TO HOUSE

MAY 17 1967

RETURNED FROM SENATE

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 17 1967 SENT TO ENROLLING CLERK